

UNITED STATES DISTRICT COURT

FILED
U.S. DISTRICT COURT
DISTRICT OF MASSACHUSETTS

2004 JUL -2 P 2:08

GUCCI AMERICA, INC.

V.

SUMMONS IN A CIVIL CASE

U.S. DISTRICT COURT
DISTRICT OF MASS.SMART BARGAINS, INC., SMART BARGAINS CASE NUMBER:
SECURITY CORPORATION AND
SMARTBARGAINS.COM

04 10492 DPW

TO: (Name and address of Defendant)

SMART BARGAINS SECURITY CORPORATION
10 MILK STREET, 10TH FLOOR
BOSTON, MA 02108

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

MARK SCHONFELD
BURNS & LEVINSON LLP
125 SUMMER STREET
BOSTON, MA 02110

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

CLERK

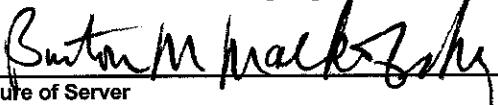


(By) DEPUTY CLERK

DATE

3-11-04

RETURN OF SERVICE

Service of the Summons and Complaint was made by me (1)		DATE June 25, 2004
NAME OF SERVER BURTON M. MALKOFSKY	TITLE Process Server / A Disinterested Person	
Check one box below to indicate appropriate method of service		
<input type="checkbox"/> Served personally upon the defendant. Place where served: <hr style="width: 50%; margin-left: 0;"/> , MASSACHUSETTS		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling or usual place of abode with a person of suitable age and discretion then residing therein. Name of person whom the summons and complaint were left: <hr style="width: 50%; margin-left: 0;"/>		
Said service was made at: _____, MASSACHUSETTS		
<input checked="" type="checkbox"/> Other: By handing true and attested copies thereof to <u>Ms. Marguerite Hill, General Counsel and Resident</u> <u>Duly Authorized Agent for the within-named</u> <u>Defendant, Smart Bargains Security Corporation.</u> Said service was made at: <u>10 Milk Street, 10th Floor, Boston</u> , MASSACHUSETTS		
STATEMENT OF SERVICE FEES		
SERVICE FEE \$ <u>24.00</u>		Trips <u>18</u>
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on <u>June 25, 2004</u>	 <u>Signature of Server</u> <u>One Devonshire Place, Boston, Massachusetts</u> <u>Address of Server</u>	
ADDITIONAL INFORMATION		
PLEASE NOTE THAT IT WAS NECESSARY TO MAKE _____ ATTEMPTS BEFORE MAKING PROPER SERVICE.		
Date	Time	Remarks
		FEE
		\$ _____
		\$ _____
		\$ _____
		\$ _____
		\$ _____
		\$ _____
		\$ _____
		TOTAL \$ _____

(1) As to who may serve a summons see Rule 4 to the Federal Rules of Civil Procedure.